

NO. 24325

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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ASSOCIATES FINANCIAL SERVICES COMPANY OF HAWAI'I, INC.,  
Plaintiff-Appellee,

vs.

SIMEON BALA, CONSOLACION BALA and UNITED STATES OF AMERICA,  
Defendants-Appellants,

vs.

ELO V. BADUA and JANE C.R. BADUA, defendants-Appellees,

and

ALEJANDRO FAGARAGAN, SUSAN M. FAGARAGAN, VIC GARO MIGUEL,  
ESTRELITA GARIN MIGUEL, MULIAIGA S. MIKA, also known as  
Muliaiga Sapini Mika, TINA T.S. SU'A,  
Defendants-Appellees,

and

JOHN DOES 1-50, JANE DOES 1-50, DOE PARTNERSHIPS 1-50,  
DOE CORPORATIONS 1-50, DOE ENTITIES 1-50, and  
DOE GOVERNMENTAL UNITS 1-50, Defendants.

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 95-1324)

ORDER DISMISSING DEFENDANT-APPELLANT  
UNITED STATES OF AMERICA'S APPEAL  
(By: Moon, C.J., Levinson, Nakayama,  
Ramil, and Acoba, JJ.)

Upon consideration of the record and the "motion for dismissal of appeal" filed by the Defendant-Appellant United States of America, it appears Defendant-Appellant United States of America wants to dismiss its appeal pursuant to Rule 42(b) of the Hawai'i Rules of Appellate Procedure. Therefore,

IT IS HEREBY ORDERED that the motion is granted and the appeal of Defendant-Appellant United States of America is dismissed. This dismissal is without prejudice to the Appeal filed by Defendants-Appellants Simeon Bala and Consolacion Bala, that is included in appeal number 24325.

DATED: Honolulu, Hawai'i, August 27, 2001.